

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\*\*\*\*\*

GARY LA BARBERA, THOMAS GESUALDI,  
LAWRENCE KUDLA, LOUIS BISIGNANO,  
ANTHONY PIROZZI, FRANK FINKEL,  
JOSEPH FERRARA, SR., LYNN MOUREY,  
MARC HERBST AND THOMAS PIALI  
as Trustees and Fiduciaries of the Local 282  
Pension Trust Fund,

Plaintiffs

-against-

JUDA CONSTRUCTION, LTD., FULLERTON  
LAND DEVELOPMENT, LTD a/k/a/ FULLERTON  
AVENUE LAND DEVELOPMENT, LTD., CTJ  
CONSTRUCTION LTD., TORRETTA TRUCKING INC.,  
CHATHAM CONS., LTD., FINESSE CONSTRUCTION  
LLC, INOVATIVE DISPOSAL SYSTEMS LLC,  
PURE EARTH INC., PURE EARTH TRANSPORATION  
AND DISPOSAL SYSTMES, INC. a/k/a AMERCIAN  
TRANSPORTATION AND DISPOSAL SYSTEMS LTD,  
PURE EARTH MATERIALS, INC. a/k/a/ SOUTH  
JERSEY DEVELOPMENT, INC., THOMAS ATTONITO,  
NICHOLAS PANICIA and CHRISTOPHER UZZI

Defendants

07-CV-5763 (JSR)

ANSWER OF  
DEFENDANTS  
INNOVATIVE AND  
FINESSE TO  
CROSS CLAIM  
OF PURE EARTH  
DEFENDANTS

\*\*\*\*\*

Defendants, Finesse Construction LLC and Innovative Disposal Systems LLC  
(collectively "Defendants) by and through their counsel, Leonard Herman, hereby answer  
the Cross-Claim asserted by Juda Construction LTD., Pure Earth Inc., Pure Earth  
Transportation and Disposal Systems, Inc. a/k/a/ American Transportation and Disposal  
Systems, LTD and Pure Earth Materials, Inc. a/k/a South Jersey Development Inc

(hereafter the Pure Earth Defendants) as follows::

1) Deny the allegations set forth in the Cross Claim of the Pure Earth defendants in their Answer to the Second Amended Complaint filed September 19, 2007 at pages 37-38.

WHEREFORE, Finesse Construction LLC and Innovative Disposal Solutions LLC demand judgment be granted as follows:

- A. Dismissing the Cross Claims of the Pure Earth defendants with prejudice and without costs or attorney fees.
- B. Granting the defendants attorney fees, costs and disbursements to the extent provided by contract, statute or otherwise; and
- C. Together with such other, further or different relief as the Court deems just and proper.

Dated: Ardsley, NY  
September 24, 2007



---

Leonard Herman Esq.  
75 Euclid Ave.  
Ardsley, NY 10502  
Phone (914) 674-4936  
Fax (914) 674-4936  
Cell (914) 522-2073